

Kelsey Harclerode (SBN 313976)  
[kelsey@zwillgen.com](mailto:kelsey@zwillgen.com)

**ZWILLGEN PLLC**  
1900 M Street NW, Suite 250  
Washington, DC 20036  
Telephone: (202) 296-3585  
Facsimile: (202) 706-5298

Attorney for Defendant  
**YANKA INDUSTRIES, INC. d/b/a**  
**MASTERCLASS**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ALAN SILVA and ELIZABETH  
MALATY-UHR, individually and on behalf  
of all others similarly situated,

*Plaintiffs,*

v.

YANKA INDUSTRIES, INC. d/b/a  
MASTERCLASS

*Defendant.*

Case No. 3:24-cv-05264-JD  
Judge: Hon. James Donato

**JOINT STIPULATION REGARDING  
DEFENDANT'S TIME TO RESPOND  
TO SECOND AMENDED COMPLAINT**

Pursuant to Local Rule 6-1(a), Plaintiffs Alan Silva and Elizabeth Malaty-Uhr (“Plaintiffs”) and Defendant Yanka Industries, Inc. d/b/a Masterclass (“Defendant” and, jointly with Plaintiff, “Parties”) hereby stipulate and request that Defendant’s time to answer or respond be enlarged in light of the Plaintiffs’ filing on October 24, 2024 of a Second Amended Complaint. Specifically:

**WHEREAS**, this case was filed on August 16, 2024 (ECF 1);

**WHEREAS**, Defendant was served on August 19, 2024, and the Parties stipulated that Defendant would have until October 9, 2024, to answer, move or otherwise response to the Complaint (ECF 13);

**WHEREAS**, on September 27, 2024, with Defendant’s consent, Plaintiff Silva filed a First Amended Complaint (“FAC”) (ECF 15), and the Parties stipulated that Defendant’s time to answer, move, or otherwise respond to the FAC would be enlarged to October 28, 2024 (ECF 16);

**WHEREAS**, Plaintiff Silva on October 21, 2024, requested pursuant to Fed. R. Civ. P. 15(a)(2), Defendant’s consent to amend their complaint a second time, which Defendant granted on October 23, 2024;

**WHEREAS**, on October 24, 2024, Plaintiff Silva filed a Second Amended Complaint (“2d Am. Compl.”) that, among other changes, added a new Plaintiff, Elizabeth Malaty-Uhr (ECF 17);

**WHEREAS**, under Fed. R. Civ. P. 15(a)(3), absent this Joint Stipulation Defendant’s response to Plaintiffs’ 2d Am. Compl. would be due on November 7, 2024;

**WHEREAS**, the Parties have conferred and stipulate that Defendant should have a modest 7-day enlargement to Defendant’s time to answer, move or otherwise respond to the 2d Am. Compl. so that the Defendant can address in its responsive pleading arguments under Fed. R. Civ. P. 12(b)(6) and also any arguments to compel arbitration;

**WHEREAS**, the Parties do not seek the requested extension for purpose of delay or harassment;

**WHEREAS**, this stipulated will not alter the date of any event or any deadline already fixed by Court order.

1           **NOW, THEREFORE, THE PARTIES STIPULATE** that, pursuant to Civil Local  
2 Rule 6-1(a), Defendant Yanka Industries, Inc. d/b/a Masterclass shall answer, move, or  
3 otherwise respond to the 2d Am. Compl. by November 14, 2024.

4  
5  
6 **IT IS SO STIPULATED.**

7  
8 DATED: October 28, 2024

**ZWILLGEN LAW LLP**

9 By: /s/ Kelsey Harclerode  
Kelsey Harclerode  
10 [kelsey@zwillgen.com](mailto:kelsey@zwillgen.com)

11 **Attorney for Defendant**  
Yanka Industries, Inc. d/b/a Masterclass

12  
13 DATED: October 28, 2024

**HEDIN LLP**

14 By: /s/ Frank Hedin  
Frank Hedin  
15 [fhedin@hedinllp.com](mailto:fhedin@hedinllp.com)

16  
17 **Attorney for Plaintiffs**  
Alan Silva & Elizabeth Malaty-Uhr

18  
19 **ATTESTATION**

20 I, Kelsey Harclerode, am the ECF User whose ID and password are being used to file this  
21 document. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that all counsel have concurred in  
22 this filing.

23  
24 By: /s/ Kelsey Harclerode  
Kelsey Harclerode